



ఆంధ్రప్రదేశ్ రాజ పత్రము
THE ANDHRA PRADESH GAZETTE
PUBLISHED BY AUTHORITY

W.No.12

AMARAVATI, FRIDAY, MARCH 22, 2024

G.4168

PART II - MISCELLANEOUS NOTIFICATIONS OF INTEREST TO THE PUBLIC

--X--

NOTIFICATIONS BY HEADS OF DEPARTMENTS Etc.,

**COMMANDANT,
 SAR CPL, A.P. UNIT,
 AMBERPET, HYDERABAD**

C.No. A3/PR-03/A.P-SAR/2023-24/481.

Date: 27-02-2024.

D.O.No.64/2024.

SAR CPL, A.P. UNIT - DISPOSAL OF PR AGAINST Sri R. CHINNA BABU, PC 459 OF "D" COY., OF THIS UNIT - FINAL ORDERS.

Ref:-	This office D.O.No. 93/2023, dated: 16-03-2023
01.	(C.No.A2/LR-76/AP-SAR/2023/617) declared the PC 459 as "DESERTER" w.e.f. 23-02-2023.
02.	Memorandum/Show cause notice C.No. A3/428/AP-SAR/2023/908, dated 28-04-2023, Acknowledged on 01-05-2023
03.	Remainder-I,Memo.C.No.A3/PR-03/OE/AP-SAR/2023/1054 Dated.16-05-2023. Acknowledged on 26-05-2023.
04.	Written Statement of defence(Explanation) on 27-05-2023.
05.	Appointed Enquiry Officer vide D.O.No. 158/2023, dated 01-06-2023.
06.	E.O. Report vide No. 05/O.E./Asst.Comdt/AP-SAR/2023, dated: 05-08-2023.

07.	Memo/Show Cause Notice vide C. No. A3/PR-03/OE/AP-SAR/2023/1780, dated 11-08-2023.Acknowledged on 19-08-2023
08.	Remainder-I,Memo.C.No.A3/PR-03/OE/AP-SAR/2023/1918 Dated.02-09-2023. Acknowledged on 11-09-2023.
09.	Remainder-II,Memo.C.No.A3/PR-03/OE/AP-SAR/2023/2036 Dated.21-09-2023. Acknowledged on 23-09-2023.
10.	Final explanation not received.

-@ - @ - @-

ORDER:-

Sri R.Chinna Babu, PC 459 of “C” Coy, attached to “D” Coy., of this unit was sanctioned (21) days medical leave w.e.f. 02-02-2023 to 22-02-2023 due to suffering with severe back pain. Accordingly he has to report for duty on 23-02-2023 FN, but he was not reported for duty on 23-02-2023 and found absent from 23-02-2023 at 09.30 hrs onwards without any intimation to RI “D”.Coy or concern officers and exhibited gravest misconduct and irresponsible behaviour. Even informed to him over by the phone so many times.

As per the order No. 184 of APPM Vol-I after completion of (21) days AWL period he has declared as “DESERTER” w.e.f. 23-02-2023 vide this office order D.O.No. 93/2023, dt. 16-03-2023 for his un-authorization absent. Further, under Rule 20 of APCS (CC&A) Rules 1991, a memorandum of Charge, vide this office Memorandum No. C.No. A3/428/AP-SAR/202023, dated 28-04-2023., was served by inviting his written explanation of defense within (10) days from the date of receipt of memorandum on the following charge along with documents.

“Gross misconduct and irresponsible behavior by absenting from 23-02-2023 F.N. from medical leave un-authorizedly. He was declared as “DESERTER” w.e.f. 23-02-2023 F.N. vide this office D.O. No. 93/2023. Dated 16-03-2023 (C.No. A2/LR-76/AP SAR/2023/617. Thus he violated Rule 3 of APCS (Conduct) Rules 1964 r/w APPM Order No.184.and 257-3, Part-I, Volume.I.

1) Statement of article of charge. 2) Statement of Imputation of Misconduct or Misbehavior. 3) List of witnesses 4) List of documents. The Memorandum/Show cause notice was acknowledged by Sri R.Chinna Babu, PC 459 on 01-05-2023. It was clearly mentioned in para-2 of the charge that, Sri R.Chinna Babu, PC 459 of this unit is directed to appear before the undersigned on such day and at such time not exceeding ten working days and submit a written statement of his defense and to state whether he desires to be heard in person, on receipt on this memorandum of charge. In para-4 Sri R.Chinna Babu, PC 459 of this unit is further informed that, if he did not appear before the undersigned on or before the date specified in para-2 or do not appear in person before enquiry authority or otherwise fail or refuse to comply with the provisions of rule 20 of Andhra Pradesh Civil Services (Classification Control and Appeal) Rules 1991 or the orders/directions issued in pursuance of the said rules, the inquiring authority may hold the inquiry against as exparte. Remainder Memo-1 notice dated: 16-05-2023 which was acknowledged by him on 26-05-2023. He was submitted a written statement of his defense.

Further Sri Ch.Isaac Prabhakar Asst. Commandant. Hqrs & C.Coys, was appointed as enquiry officer vide this office D.O.No. 158/2023, dated: 01-06-2023. The charged officer absented for the OE on 22-06-2023 even after acknowledged the notice, dated 17-06-2023. He was sent second notice dated 23-06-2023 by posted OE on 27-06-2023, he acknowledged the same and attended for OE on 27-06-2023. On the same day in the process of OE, recorded Ist Oral Statement of the Charged Officer. Further the OE posted on 10-07-2023, 15-07-2023 and 22-07-2023 to record the PWs statements in the presence of the Charged Officer and to defend the charge levelled against him. But the charged officer, even after acknowledging the (03) notices, he did not attend the O.E, even after the O.E is posted on several times. Due to which the enquiry officer has drawn his minutes as Exparte on the merits of case.

The enquiry officer submitted his enquiry report vide C.No. 05/OE/Asst-Comdt/AP-SAR/2023, dated 05-08-2023 on the following findings.

Count-I:- Sri R.Chinna Babu, is working as Police Constable in “C” Coy., attached to “D.Coy,of this unit with General No. 459. The said PC was reported sick on 02-02-2023, due to suffering with severe back pain. Accordingly he was pass ported to Medical officer Police dispensary, Commissionrate, Vijayawada. The medical officer examined and advised medical rest for (21) days from 02-02-2023 to 22-02-2023. He has to report for duty on 23-02-2023 FN, but he did not report for duty on 23-02-2023 FN, and he has not sent any further extension/information. Consequently OC “D” Coy, has marked to him as absent from 23-02-2023 FN, and he was continuously absented from 23-02-2023 FN, un-authorizedly and completed the desertion period of 21 day’s by 15-03-2023. As per order No. 184 of APPM Part-I, Sri R. Chinna Babu, PC 459 of “D” coy., was declared as “DESERTER” vide this office D.O.No. 93/2023, C.No. A2/LR-76/AP-SAR/2023/617 dated 16-03-2023. He acknowledged the Desertion order on 18-03-2023. but till date he did not appear before the disciplinary authority.

Count-II;- Being a member of disciplined force he exhibited gross misconduct and irresponsible behavior that, after (365) days absented himself without leave, permission or intimation. where in mentioned that “if he is having any intension of joining duty he should report before the Commandant immediately, but he fail to do so. Thus he violated Rule 3 of APCS (Conduct) Rules and read with APPM Part-I, order No. 184.

“ On the basis of documents and oral evidences adduced in the case before me and in view of the discussions and reasons mentioned above, I hold the charge leveled against Sri.R.Chinna Babu, PC 459 of “C”.Coy, (attached to “D’.Coy) of this unit is “PROVED” beyond all reasonable doubts.”

As per Rule 21 of APCS (CC&A) Rules 1991, the minutes copies of the Oral Enquiry report (findings of Enquiry officer) were communicated to the charged officer vide this office Memo/Show cause Noticc C.No.A3/PR-03/AP-SAR/2023, dated: 11-08-2023 by inviting his written explanationwith in (10) working days and the same was acknowledged by him on 19-08-2023,he was

not submitted his final written explanation, issued Remainder-I, Memo. C.No. A3/PR-03/OE/AP-SAR/2023/1918 dated 02-09-2023 and acknowledged by him on 11-09-2023, and issued Remainder-II, Memo.C.No.A3/PR-03/OE/AP-SAR/2023/2036, dated.21-09-2023, acknowledged by him on 23-09-2023. In spite of received reminders and several instructions he was not submitted any final written explanation to till date.

I have carefully gone through the P.R, file all other connected records, and the enquiry report. The enquiry officer given several opportunities to the charged officer to attend the O.E, The charged officer did not attend the O.E. Further on receiving the O.E, file the charged officer has been given several opportunities to defend his charge, but he failed to submit any written defense statement. In this juncture it is presumed that he has no any defense statement to place before the disciplinary authority. The Commandant, SAR CPL, A.P. Unit has given opportunities to the charged officer to come forward and to report for duty, but he failed to do so. He has not reported for duty till date. He exhibited gross misconduct and irresponsible behavior by absented w.e.f. 23-02-2023 to 22-02-2024, i.e., one year, without information and permission.

In accordance to the following orders/directions/guidelines:-

1) As per G.O.Ms.No.260 dated. 04-09-2003.

The Government directed that in all cases of un-authorized absence to duty for a continuous period exceeding "one Year" the penalty of removal from service shall be imposed on the Government Employees, after duly following the procedure laid down in the Andhra Pradesh civil services (CC&A) Rules 1991.

2) As per G.O.Ms.No.127 dated.15-09-2017.

1. After clause (ix) of Rule 9 of said Rules the following shall be incorporated provided that a government servant shall be deemed to have been removed from services, if he/she.

(a). is absent from duty without authorization for a period exceeding "one year".

In exercise of the powers conferred by the above the discipline authority taken all above the circumstances in to consideration and has come to the conclusion that, the charged officer deserve for the punishment of REMOVAL FROM SERVICE. Accordingly Sri.R.Chinna Babu, PC 459(Charged officer) awarded the punishment of REMOVAL FROM SERVICE. The Deserter period w.e.f 23-02-2023 FN to 22-02-2024 AN i.e, "one year" is treated as NOT ON DUTY, for all purpose.

"Certified that the procedure laid down in APCS (Conduct) Rules,1991 has been followed correctly while disposing the PR"

MIRZA RIAZ BAIG,
Commandant,
SAR CPL, A.P., Unit,
Amberpet, Hyderabad.

To

Sri R.Chinna Babu,PC 459 of "C" Coy, SAR CPL, AP, Unit,

Thr: OC "C" Coy, SAR CPL, Amberpet , Hyderabad.

Copy to OC "C" Coy with request to serve to PC 459, and send back the dated acknowledged copy to this Office.

---X---